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**Arnold
Schwarzenegger**
Governor

TO: Charlie Hoppin, Chair
State Water Resources Control Board

FROM: Pamela C. Creedon
Executive Officer

DATE: 30 April 2010

SIGNATURE: *Original signed by Pamela Creedon*

REPORT FOR MEMORANDUM OF UNDERSTANDING (MOU) PILOT PROGRAM

The Memorandum of Understanding (MOU) between the Central Valley Regional Water Quality Control Board (Central Valley Water Board), the State Water Resources Control Board, the California Department of Pesticide Regulation, and the Agricultural Commissioners of Glenn County and Butte County requires the staff liaisons from the Regional Water Board and the Agricultural Commissioners of Glenn County and Butte County submit Quarterly Reports of the activities performed under the MOU Pilot Program.

The attached reports are summaries of the MOU Pilot Program activities performed from January to March 2010. The tasks were performed in accordance with a Work Plan for fiscal year 2009-2010. The Agricultural Commissioners and their staff continue to support the Irrigated lands Regulatory Program (ILRP) in outreach, communications and compliance.

If you have questions regarding this Report, please contact me at (916) 464-4638, or Joe Karkoski at (916) 464-4668.

cc with Attachments A-C:

Ms. Dorothy Rice, Executive Director, State Water Resources Control Board
Mr. Tom Howard, Chief Deputy Director, State Water Resources Control Board
Ms. Mary-Ann Warmerdam, Director, Department of Pesticide Regulation
Mr. John Sanders, Chief, Department of Pesticide Regulation
Mr. Mark Black, Agricultural Commissioner, Glenn County
Mr. Richard Price, Agricultural Commissioner, Butte County
Mr. Johnny Gonzales, Program Manager, State Water Resources Control Board

ATTACHMENT A
MOU PILOT PROGRAM QUARTERLY REPORT
CENTRAL VALLEY REGIONAL WATER BOARD
JANUARY - MARCH 2010

This document summarizes the activities performed by the Butte and Glenn County Agricultural Commissioners in the first quarter of 2010 under the Memorandum of Understanding (MOU) Pilot Program. The MOU Pilot Program was initiated to support the Irrigated Lands Regulatory Program (ILRP) and has evolved, providing support and information that will be needed to implement a long-term program for the ILRP. As such, work performed by the Agricultural Commissioners and staff at this point is no longer a "pilot" program, but a working model of what their role may be in a long-term program.

PROGRAM SUPPORT FROM AGRICULTURAL COMMISSIONERS AND THEIR STAFF

The Work Plan for FY 2009-2010 was developed to provide information for the long-term ILRP alternatives, such as staffing required for the different roles outlined in the alternatives. The tasks outlined in the Work Plan can provide additional information on data transmittal, minimum training requirements for GIS data manipulation, disconnects in communications and information transfers, and the means and time required to establish a working relationship with other agencies that can be utilized under the long-term alternatives.

The Work Plan contains the following activities for the Butte and Glenn County Agricultural Commissioners and staff:

- Providing field support to the ILRP by inspecting growers' irrigated agricultural lands to confirm non-discharge.
- Providing technical support for ILRP prior to mailings.
- Providing outreach and information.
- Exchanging methodology and techniques for GIS database. .

The Glenn County Agricultural Commissioner's staff has been working with their Butte County counterparts to transfer information on ILRP participants to GIS for the Butte-Yuba-Sutter (BYS) subwatershed. The difference in capabilities and resources between the two offices became more apparent during this task. In performing this task, communications between ILRP staff, the Agricultural Commissioners' staff, the subwatershed coordinators, and the Sacramento Valley Water Quality Coalition Group coordinator were more firmly established. GIS database information will be transferred more easily between the Central Valley Water Board and the Agricultural Commissioners and subwatershed coordinators.

The Glenn County Agricultural Commissioner's staff, due to their more advanced expertise in GIS, have mapped out participant parcels in the BYS subwatershed and sent the map to the subwatershed coordinator and the Agricultural Commissioners of Butte, Yuba and Sutter. The Agricultural Commissioners can post the map so growers can see if their parcel(s) has been included in the ILRP program.

Richard Price, the Butte County Agricultural Commissioner, is a member of the Agency Working Group examining alternatives for the long-term ILRP program. He is the communications link with the Central Valley Agricultural Commissioners that may play a role in the long-term alternative. Other California agencies involved in the Agency Working Group include the State Water Board, the Central Valley Water Boards, the Department of Pesticide Regulation, the Department of Food and Agriculture, and the Department of Fish and Game.

Attachments B and C from the Butte County and Glenn County Agricultural Commissioners, respectively, contain further information of work performed in accordance with the Work Plan.

Central Valley Water Board Staff Activities under the MOU Pilot Program

ILRP Compliance and Outreach Unit staff has been in contact with the Agricultural Commissioners' staff regarding mail outs to parcel owners that are not on the watershed participants list. Due to constraints on staff resources, both at the Central Valley Water Board and the Agricultural Commissioners, progress has been slow but is providing information regarding data transfer. Disconnects between subwatershed and Central Valley Water Board data were apparent and are being traced by the Agricultural Commissioners.

Program Status

The current contracts with the Agricultural Commissioners end 30 June 2010. Contract requests for amendment and extension to fund an additional year to 30 June 2011 were submitted and denied. Requests to extend each of the contracts until 31 December 2010, at no additional cost using funds already in the contracts, have been submitted and are awaiting approval.

Recommendations

It is recommended that the MOU contracts with the Agricultural Commissioners of Butte and Glenn Counties be extended until 31 December 2010. No additional funds will be needed. The extensions will allow the Agricultural Commissioners to actively participate in the long-term program alternatives and provide information to evaluate and assess the alternatives. The extension will also allow the beginnings of a working model that may be used as part of the long-term alternative for the ILRP.

ATTACHMENT B
MOU PILOT PROGRAM QUARTERLY REPORT
BUTTE COUNTY DEPARTMENT OF AGRICULTURE
JANUARY - MARCH 2010

As required by contract # 07-079-150-2, the Butte County Department of Agriculture (Ag Department) is to provide the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) with a quarterly report of activities as it relates to the scope of work for the Irrigated Lands Regulatory Program (ILRP) contract.

Summary of Activities:

Activities this quarter have focused on a variety of MOU and Work Plan items.

Mapping:

The Butte County - ILRP Geographical Information System (GIS) map project is complete. The GIS technician has converted the Pine Creek Management Practice (MP) Survey data, the current Honcut Creek MP survey data and the Butte-Yuba-Sutter (BYS) Watershed (TMDL-MP) data for Butte County. All farm site inspections are incorporated into the GIS map along with the new county-wide hydrology layer, which includes irrigation, drainage and water district canals and ditches. A Power Point presentation is being created to demonstrate project results.

Honcut Creek Watershed MP Survey:

The Honcut Creek watershed survey is on-going and about 95% complete. A few locations remain to have GPS coordinates entered. Access to the creek to identify discharge points continues to be a challenge. There are very few levee roads along this water course, so access is almost exclusively through private properties which are all gated and locked. Many of the intervening properties are not under pesticide permit and therefore not directly available for agricultural department access.

RWQCB ILRP Participation List:

As part of the Agricultural Commissioners MOU, the Central Valley Water Board developed a list of potential agricultural lands without regulatory coverage for the Ag Commissioners Office to review. During this quarter Ag Department Staff has been reviewing the list (~1400 parcels) provided by the Central Valley Water Board.

This review is a new process which, once undertaken, revealed a number of unsuspected hurdles and pitfalls. The data provided to the Ag Department required quite a bit of manipulation, including; reorganization of the list, filtering steps, creation of an ArcGIS map having a number of layers, and comparing portions of the Central Valley Water Board list to an aerial map overlaid by a county parcel map layer. Eventually a complete transparent layer for the Central Valley Water Board list was created by the Butte County GIS technician that can be toggled on and off. About 200 of the 1400 parcel have been reviewed.

Discharger/ILRP Participation Check off form

A draft Ag Department ILRP check-off form is being developed. This form would be used by the Ag Department biologist during annual pesticide permit appointments as out-reach and as an ILRP/GIS data base up-date device.

Several field forms from various organizations are being evaluated as format source material, including:

- SWR R3 Management Practice Checklist
- ANR Farm Water Quality Management Practices Form
- Draft "De Minimis Conditional Waiver" fact sheet"
- MOU Pilot program ILRP field check list for non-dischargers
- Butte County BMP survey field form
- Inspection /Investigation Report, Exhibit E, Contract: 05-182-150 form.
- Butte-Yuba-Sutter Watershed membership application form

We will try to determine the most useful parts, eliminate redundancies and hopefully distill them down to a user friendly, one page, fill-in the blank and check-off list for department use.

Management Practices Farm Site Inspections:

One Farm, MP / Pesticide application inspection for the ILRP contract was performed in March at Vanella Farm orchards.

Recommendations:

Continue supporting the ILRP Pilot Program and the collaboration between the Central Valley Water Board, watershed groups and the Agricultural Commissioners' Offices.

Robert C. Hill
Deputy Agricultural Commissioner

ATTACHMENT C
MOU PILOT PROGRAM QUARTERLY REPORT
GLENN COUNTY DEPARTMENT OF AGRICULTURE
JANUARY - MARCH 2010

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) has adopted a Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Resolutions No. R5-2003-015 & R5-2006-0053) herein referred to as the Irrigated Lands Regulatory Program (ILRP). In an effort to integrate resources, a Memorandum of Understanding (MOU) between the California Department of Pesticide Regulation, the Agricultural Commissioners of Butte and Glenn Counties, the Central Valley Water Board and the State Water Resources Control Board was developed. This MOU applies to a pilot program initiated with Glenn and Butte Counties. These two counties, under the jurisdiction of the Central Valley Water Board, initiated activities throughout the Sacramento River Basin in support of the ILRP.

The initial contract 05-182-150-0 was entered into in July 2005 following development of the initial MOU. A renewed contract 07-078-150-0 was entered into in April 2008. The MOU was renewed in June 2007. The current contract has been extended, with no additional cost, to 31 December 2010. The contract is the basis for cooperation between the Central Valley Water Board and the Glenn County Agricultural Commissioner (GCAC) to perform tasks requested by the Central Valley Water Board in support of the ILRP.

Task 1 – Mapping

Beginning in January, GCAC Environmental Biologists began updating the maps associated with pesticide permits utilizing the recently developed Ag GIS 3 program. Improvements were made as each individual grower was issued their permit by indicating field border changes as they may relate to waterways within their operation. A map of the images that represent these data have been provided to the contract manager with this report (Attachment C-1). Due to the complexity of the data, the ArcView files will be submitted to the contract manager on CD. It is anticipated this task will be completed in April 2010 which is the end of the permit issuance season.

Task 4 - Outreach

This quarter GCAC staff has concentrated their efforts with ongoing outreach with the local Colusa-Glenn Subwatershed.

In January, GCAC staff prepared a Power Point presentation comparing components of Organic Certification Programs and Farm Water Quality Management Plans that were presented as possible options for the Long-Term Program. The similarities of the two prove to be very complementary for elements that would satisfy Water Board requirements. A copy of the presentation was previously provided to the contract manager and is included with this report (Attachment C-2).

In February, an exceedance for simazine was reported and staff provided information from a pesticide query and provided outreach for the exceedance to the sub-watershed. In March a follow up presentation was provided to growers relating to the exceedance. Staff also made a presentation at a rice pesticide grower meeting on behalf of the Central Valley Water Board in Willows.

In March outreach efforts continued with the providing a power point presentation on the Long-Term Program to the Glenn County Water Advisory Committee.

Staff also provided assistance to the sub-watershed by reviewing mail out lists for Colusa County. There was no action taken by Glenn County staff. Based on conversations with Butte County staff and the difficulty they were having with the postcard list they received, Glenn County staff offered assistance by preparing Outreach Participation Maps for the Butte-Yuba-Sutter Subwatershed. A copy of the map is provided to the contract manager with this report (Attachment C-3) and the ArcView files will also be submitted on CD. It has been our ongoing opinion that mapping as an outreach tool is underutilized and we recommend and encourage that more work be done in this area. A component of the MOU contract is to compare data base usage with Central Valley Water Board ILRP enforcement staff. It is anticipated this will take place in the next quarter.

Task 5- Other Work

Staff continues to participate in coordination with other agencies. In January, February, and March staff attended meetings regarding the progress of Long-Term Program planning and in February attended the Sacramento Valley Water Quality Coalition meeting. Staff attended a meeting held in Oroville with the contract manager and Central Valley Water Board Long-Term Program staff.

Glenn County staff also developed a Non-discharger Field Sheet for the Water Board ILRP enforcement staff to use in the field. A copy of the field sheet has been provided for the contract manager previously.

Anticipated Next Quarter Activities

Glenn County staff will work with other agencies and groups, including the Central Valley Water Board, to determine if and how diverse databases can be consolidated and integrated, specifically in the area of coordinating with existing and developing agricultural pesticide permitting programs.

Colusa County has recently provided Glenn County staff their assessor's parcels in a digitized format and are currently being reviewed to be included into the existing sub-watershed outreach participant map which will be helpful in future enforcement inquiries.

Glenn County staff is looking forward to:

1. providing field support for the ILRP by inspecting growers for non-discharge,
2. providing technical support for ILRP prior to mailings and;
3. performing additional outreach as requested.

Conclusion/Recommendations

At this time the GCAC continues to look forward to working with the Central Valley Water Board on the tasks outlined by the contract manager for the remainder of the contract. As the Long Term Program alternatives develop we are prepared to participate in an agreed upon capacity under the terms of the contract and MOU.

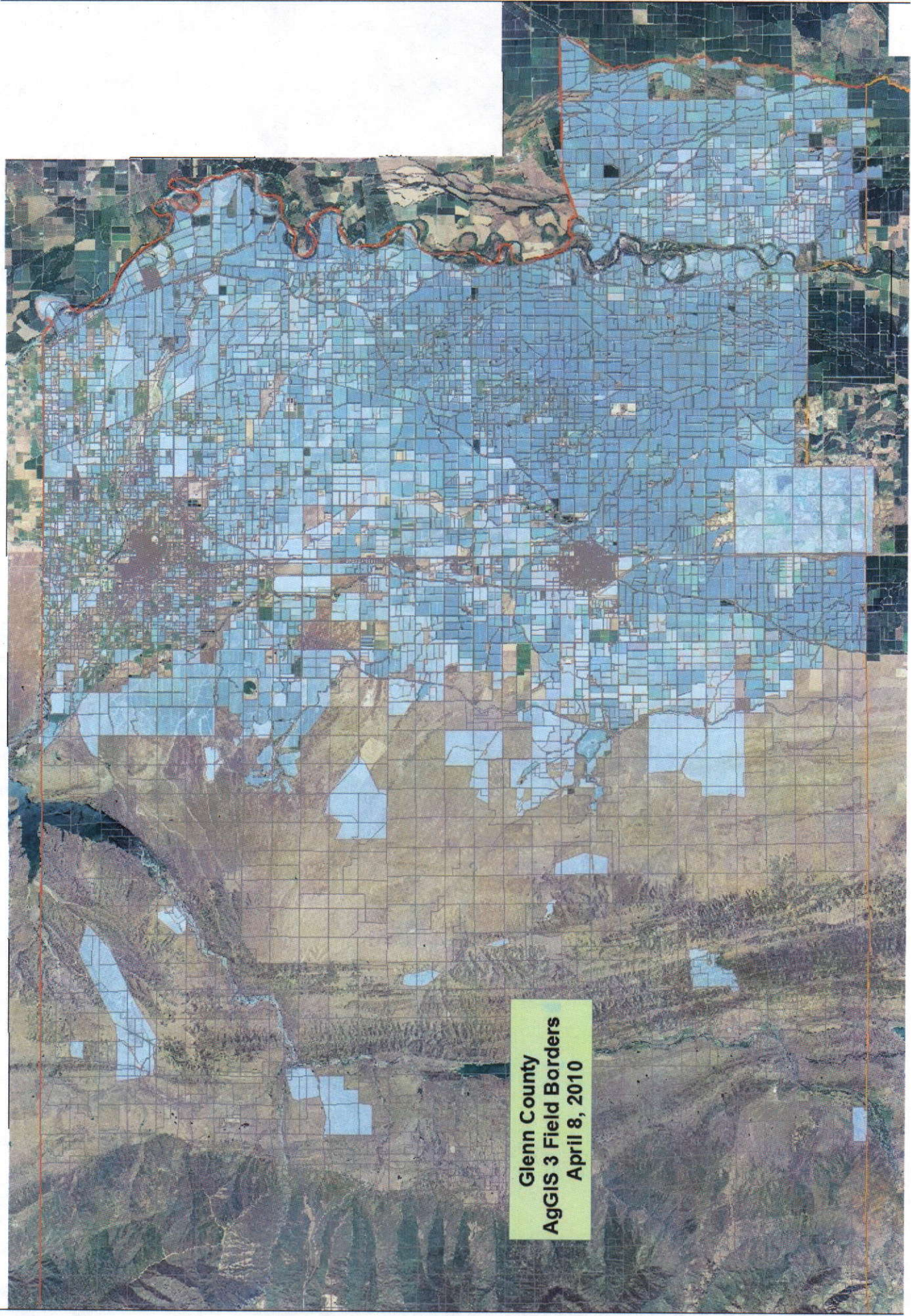
Factors to be considered for the continuance of the MOU pilot program are:

- A developing component of the MOU pilot program is to refine assistance to the Water Board by assessing their data bases and clarify/recommend how they can best be used to provide ease in identifying non-participants and bringing in new participants,
- Provide open communication to the Water Board about ways to help bridge the gap between a expanded regulatory program and the agricultural community,
- To provide input when inconsistencies are recognized in order to make the selected Long-Term Program workable and acceptable.

Attachment C-1: Glenn County AgGIS 3 Field Borders, April 8, 2010

Attachment C-2: Farm Water Quality Management Plans vs. Organic Systems Plans,
handout format

Attachment C-3: B-Y-S Outreach participation map, draft March 30, 2010



Farm Water Quality Management Plans vs. Organic Systems Plans

In the event that Option 3, 4, or 5 of the Irrigated Lands Long Term Program is chosen, and Individual Farm Water Quality Management Plans must be completed, there is a wealth of information available and may be incorporated into the process of completing this task. Some of these include:

- Farm Water Quality Plans already in existence
- The Dairy Program
- Organic Systems Plans
- Sustainability In Practice (SIP)- Vineyard Certification Program

ILRP Option 3 Grower Requirements

- Submit application to Regional Water Board
- Develop and Implement Farm Water Quality Management Plan (FWQMP) within 2 years of enrollment
- Submit FWQMP to Regional Board for review and approval
- Maintain and Update FWQMP as needed
- Prevent nuisance conditions and exceedances of water quality objectives with regard to their irrigated agricultural lands
- Allow inspection to verify management practices and accuracy of FWQMP

Minimum ILRP Application Requirements

- a. Name and contact information of owner/operator
- b. Discharge location and operations
- c. Receiving water information
- d. Irrigation method(s)
- e. Site map
- f. Parcel numbers, acreages, and crop types
- g. Location of any potential conduits to groundwater (e.g., active, inactive, or abandoned wells; dry wells, recharge basins, or ponds, etc.)

Minimum FWQMP Requirements

1. Name and contact information of owner/operator
2. Description of operations including:
 - Number of irrigated acres
 - Crop types
 - Chemical/fertilizer application rates and practices
3. Maps showing irrigated production areas, discharge points and water body names
4. Applicable water quality management practices
5. Measures instituted for wellhead protection from pesticide and fertilizer use
6. Identification of potential conduits to groundwater aquifers on the property and steps taken to ensure safety from contamination

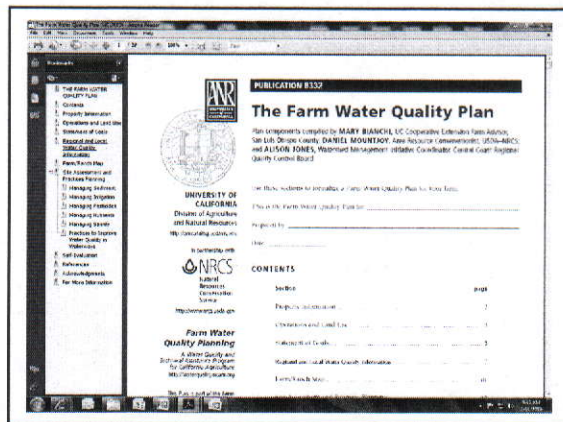
*The water board would be responsible for developing a standard template for growers to compete. The above are expected minimum requirements.

The purpose of this presentation is to compare
Farm Water Quality Management Plans
to Organic Systems Plans.

- Most organic certifiers have a farm plan template (called and Organic Systems Plan) to determine how a grower plans on sustaining their land, crops, animals, etc.
- These provisions are in accordance to the National Organic Program.
- All plans are very similar in format; today we will focus on information found from 3 Certifying Agencies:
 - CCOF
 - Oregon Tilth, Inc.
 - OCIA (Organic Crop Improvement Association International, Inc.)

Organic Systems Plans for Crop Production Typically Include:

- General Farms Information
- Surrounding Fields Information
- Pest Management
- Input Materials
- Production
- Labeling
- Record Keeping
- Soil Management
- Seeds/Planting Stock
- Compost/Manure Management
- Harvest/Transport Plan
- Storage Plan
- Pesticide Storage (Synthetic/Non-synthetic)
- Post Harvest Handling Plan
- Additional Information for Livestock Certification
- Additional Information for Facilities
- Site Maps



The UC FWQMP Includes:

- Property Information
- Operations and Land Use (farming, dairy, processing, crops, etc.)
- Statement of Goals (Production Goals, Quality of Life, Natural Resource/ Water Quality Goals)
- Regional and Local Water Quality Information
- Farm/Ranch Map
- Site Assessment and Practices Planning
 - Managing Sediment
 - Managing Irrigation
 - Managing Pesticides
 - Managing Nutrients
 - Managing Salinity
 - Practices to Improve Water Quality in Waterways
- Self-Evaluation

Water Components of the OSP

From CCOF – OSP Section G6.o

D. DO YOU IRRIGATE?

No, not applicable Yes, complete 1, 2, & 3 below

1) What is the source of your irrigation water? Well Reservoir

Water district (name): River, stream, or lake (name):

2) Are you aware of any prohibited materials that may be in your irrigation water? Yes No

3) Does your organic cropland share irrigation lines or irrigation water (including tail water) with other cropland where prohibited materials are applied into the water? Yes No

a) If Yes, is your operation responsible for applications of prohibited materials? Yes No

4) If Yes to question 2 or 3 above, what measures have you taken to prevent contact of organic crops or land with prohibited materials? (Please also ATTACH a map showing a piping diagram if valves or backflow prevention devices have been installed.)

From Oregon Tilth - Organic Farm Plan Class O

Water: Please list each water source, use (irrigation, wash water, etc.), system delivery type (overhead, drip tape, etc.), and testing information as appropriate.

Source	Use	System Delivery Type	Tested? (Yes or no)	If tested, for what?	Test Results & Date

From Farm Organic System Plan -- OCIA

WATER USE

21. In what ways is water used in your operation?
☐ irrigation ☐ livestock ☐ solar spray ☐ washing crops ☐ greenhouse ☐ other (specify): ☐ Not applicable

22. Source of water:
☐ on-site wells: ☐ river/creek/pond ☐ spring ☐ municipal/county ☐ irrigation district ☐ other (specify): ☐ OCIA/FOAM/CARTV - Attach current water tests if water is used to wash crops

23. Type of irrigation system: ☐ None ☐ drip irrigation ☐ micro-spray ☐ flood ☐ center pivot
☐ underground ☐ other (specify): ☐ ☐

24. What input products are applied through the irrigation system, either to organic or non organic fields? ☐ None

25. What products do you use to clean irrigation lines/riddles? ☐ None

26. Is the system shared with another operator? ☐ Yes ☐ No
 If yes, what products do they use? ☐

27. Is the system flushed and the flushes documented between conventional and organic use if prohibited materials are used? ☐

From Farm Organic System Plan -- OCIA

27. Is the system flushed and the flushes documented between conventional and organic use if prohibited materials are used?
☐ Yes ☐ No ☐ Not applicable

WATER QUALITY

28. What practices are used to protect water resources?
☐ fencing livestock from waterways ☐ scheduled use of water to conserve its use ☐ tensiometer / monitoring
☐ laser leveling / land forming ☐ other (specify): ☐

29. What water contamination problems do you experience (why and where)? ☐ None

30. Describe your efforts to minimize water contamination problems listed above
☐

For inspector use only:
 5.1 If inspecting for the CARTV, please verify the measure used corresponds to the approved form and it complies with the applicable standards
☐

5.2 Please provide an assessment on soil fertility and resource management practices in the operation including, but not limited to:
☐

There are additional requirements beyond the water component of the OSP.

- If water testing has been conducted, it must be included.
- Site maps must include water related information such as irrigation supply and discharge areas, ditches, wells, streams, ponds, and neighboring land uses including diversion ditches, etc.
- If the irrigation system is also used for prohibited materials, a piping diagram with valves, backflow prevention devices, etc. must be included.

ILRP Application Requirements	ILRP FWQMP Requirements	OSP Documents
Name & contact information	Name & contact information	General Farm Information
Discharge locations	(included in map)	(Typically included in site maps)
Receiving waters information	(included in map)	(Typically included in the Production section)
Irrigation Methods		(Typically included in the Production section)
Site Map	Site map (including irrigated production areas, discharge points and water body names)	Site Maps

ILRP Application Requirements	ILRP FWQMP Requirements	OSP Documents
Parcel Number		(General Farm Information)
Acreage	Number of irrigated acres	(General Farm Information)
Crop Type	Crop type	(General Farm Information)
Location of potential conduits to groundwater	Location of potential conduits to groundwater & steps taken to ensure safety from contamination	(Some would be included on site maps)
	Chemical/Fertilizer application rates & practices	Input materials

ILRP Application Requirements	ILRP FWQMP Requirements	OSP Documents
		(included in many other areas such as soil management, manure management, input materials, etc.)
	Applicable water quality management practices	
	Wellhead protection measures	
		Surrounding fields
		Pest management
		Production
		Labeling
		Record keeping
		Soil management
		Seeds/Planting stock

ILRP Application Requirements	ILRP FWQMP Requirements	OSP Documents
		Compost/Manure Management
		Harvest/Transport Plan
		Storage Plan
		Pesticide Storage (Synthetic/Non-synthetic)
		Post-Harvest Handling Plan
		Additional Information for Livestock Certification
		Additional Information for Facilities

Cost of Organic Certification

Yolo County's Organic Certification Fees:

- New application (Nonrefundable \$210)
- Site inspection (\$71/hour)
- Mileage fees (Current county mileage rate)
- Annual Category (Sliding scale depending on category and amount of acreage/animals)
- Document (\$30)
- Change of ownership/Management (\$125)
- Additional Acreage or Operation (\$190)

Example: New Applicant

New grower with 100 acres of orchard. The operation is 20 miles from the office and the inspection takes 3 hours.

Application Fee	\$190.00
Site Inspection	\$213.00
Mileage Fee	?
Annual Category Fee	\$385.00
Total	\$788.00 + mileage fee

*These fees would be based upon this crop situation and amount of time to inspect.

Example: Renewal Applicant

Same grower as previous example in 2nd year of certification. This grower has 100 acres of orchard. The operation is 20 miles from the office and the inspection takes 2 hours.

Application Fee	\$0
Site Inspection	\$142.00
Mileage Fee	?
Annual Category Fee	\$385.00
Total	\$527.00 + mileage fee

* This would be the annual fee based upon this crop situation and amount of time to inspect.

Conclusion

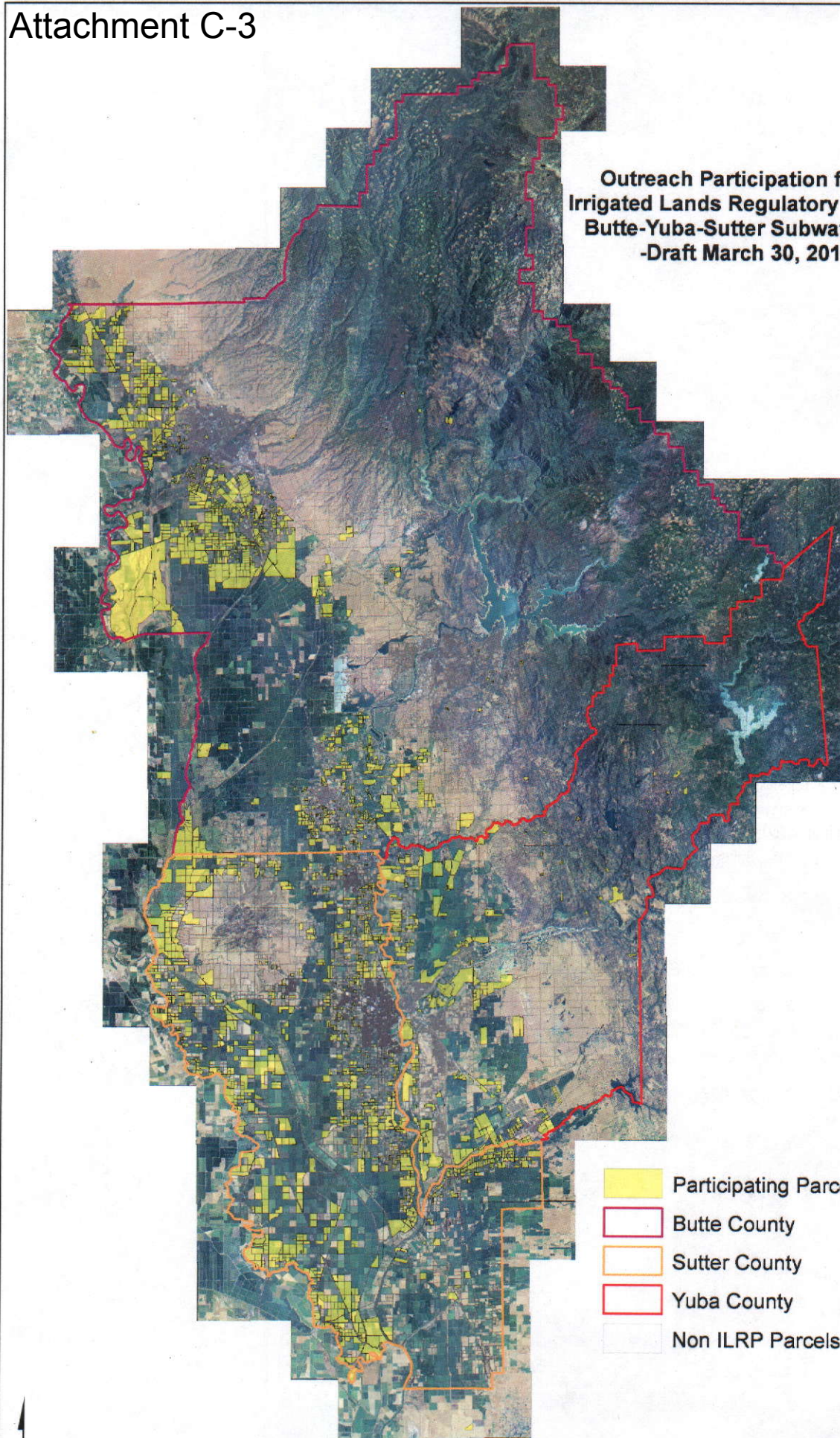
In addition to the minimum requirement for FWQMP in Option 3, OSPs include many other management practice activities not specifically mentioned for FWQMPs. They may be beneficial to water quality such as:

- soil management
- manure management
- pest management
- nutrient management

OSP's take into account all farm operations, not just water quality, but many have an effect, direct or indirect, on the way the water is managed on the property.

Attachment C-3

Outreach Participation for the Irrigated Lands Regulatory Program Butte-Yuba-Sutter Subwatershed -Draft March 30, 2010-



- Participating Parcels
- Butte County
- Sutter County
- Yuba County
- Non ILRP Parcels